



## THE COMMONWEALTH OF MASSACHUSETTS

### WATER RESOURCES COMMISSION

100 Cambridge Street, Boston MA 02114

---

### **Meeting Minutes for March 13, 2003**

#### **Members in Attendance:**

Karl Honkonen	Designee, EOEa
Peter Webber	Commissioner, DEM
Marilyn Contreas	Designee, DHCD
Glenn Haas	Designee, DEP
Gerard Kennedy	Designee, DFA
Joe Pelczarski	Designee, CZM
Richard Butler	Public Member
Gary Clayton	Public Member
Matthew Rhodes	Public Member
Frank Veale	Public Member

#### **Others in Attendance:**

Linda Marler	DEM
Mike Gildesgame	DEM
Peter Weiskel	USGS
Margaret Kearns	Riverways Program
Lise Marx	MWRA
Lou Taverna	Newton DPW
Jessica Stephens	Neponset River Watershed Association
Van Morrill	Public
Michele Drury	DEM
Vandana Rao	EOEA
Vicki Gartland	DEM
Sara Cohen	DEM

---

#### **Agenda Item #1: Executive Director's Report**

Webber announced that Mark Smith had moved on to a new position and that Karl Honkonen had been assigned on an interim basis to replace Smith.

Marler provided an update on the hydrologic conditions:

- February was a good month. Precipitation was above normal, with four inches statewide. This translates into between 113% and 154% of normal for the regions, and 132% of normal, overall, for the state. The President's Day snowstorm helped out the snow pack situation. This is exactly what was needed for drought relief. This storm gave the state from 16 inches in the Berkshires, to 24 inches in the Boston area. This storm will probably rank within the

top five in the Boston and Worcester areas. Webber added that Rockport set a record for the highest one-day snow fall (28 inches) during this storm. Snow pack depth has decreased, however, as there have been some heavy rains since then. Last month, there was 10-20 inches of snow pack across the state. The eastern portion of the state is now down to 5 to 10 inches. It is a very wet snow pack at this point. Snow melt should help with the reservoirs and the streamflow levels.

- Ground water levels for February were in the normal range for all of Massachusetts.
- Streamflow amounts were below normal for February, in most of the state. This seems contradictory with all the precipitation that has fallen, but what has fallen is being held up in the snow pack. It has been so cold that there hasn't been much snowmelt. This situation should change once the snow begins to melt.
- Reservoir levels are in good shape. Many reservoirs have been showing steady recovery since November 2002. A few are still below normal for this time of year, but these are mainly the large reservoirs that take longer to recover. These include Cobble Mountain in Springfield, the Quabbin, and Worcester's reservoir system. Most of these are still below normal, but still well above drought action levels.
- Forecasts: El Niño is waning, so the heavy beneficial precipitation that has been falling in the last few months is expected to diminish. There are equal chances for normal, above normal or below normal precipitation in the coming months.
- The National Drought Monitor map does not depict Massachusetts in a drought at this time. A recommendation will be made to the Drought Management Task Force to remove Cape Cod from the drought advisory. The drought is increasing in Maine and over northern New Hampshire and Vermont. We will be monitoring this.

Clayton asked about the flooding expectations for the major rivers. Marler said that reports she'd seen indicated the flood risk was "normal", but noted that it usually floods in April. She also stated that this is the first winter in about 10 years that we've had a "normal" winter for snow. Pelczarski added that the flooding potential depends on the nature of the snow melt.

**Agenda Item #2: Vote – Prioritization of proposals for assistance from the New England District, Army Corps of Engineers (FPMS and Section 22)**

Gildesgame distributed a revised staff recommendation. Since the last meeting, some issues have been raised requiring some changes to the original staff recommendation. The priorities for the Flood Plain Management System (FPMS) program remain unchanged. Gildesgame referred to a letter from the City of Newton, about their proposal. There is also a letter from Charles River Watershed Association, endorsing the Newton proposal and an email from Northampton indicating that they are prepared to provide the match.

The priorities for the Planning Assistance to States (PAS) program:

1. The SuAsCo TMDL study remains in first place
2. Northampton has moved up in priority because the town was willing to switch from being a FPMS project and to provide the match.
3. Walpole & Medfield have large scopes and small budgets, but ACOE says that this should not be a problem and the Corps can work this out when they begin working with the towns.

4. The two Quincy projects were originally submitted under FPMS. Because of the size, cost and the nature of the projects, ACOE thought that it would be better to look at them under PAS.
5. Malden and Marlboro address local drainage problems.

Note that:

- Medway's Choate Pond project has been removed because it is really a construction project and not suitable for this program.
- Most of the match for the North Attleborough/Attleboro project was going to be coming from an environmental bond bill line item, however, these funds are not available. If the town can find a match, they can come in later with this proposal.
- Fall River's feasibility study, to daylight the Quequechan River, is more appropriate under the ACOE's Section 206 program, which is for aquatic habitat restoration. The proponents have been urged to contact the Corps and discussions have been underway.

After the vote, the Secretary will send a letter to the Corps. Once the federal budget comes through, the Corps will know how much money will be available to fund these as well as projects from other states.

Haas asked if we prioritized any projects last year that didn't get any funding. Gildesgame said that all the projects recommended have been initiated by the Corps. Clayton asked about the FPMS recommendations. What is the priority? Gildesgame replied that they all have the same priority. Clayton suggested that the projects be prioritized numerically. Contreas asked that if North Attleborough and Attleboro found funding, will the prioritization change. Gildesgame responded that it might, but the letter from the Secretary will be going out soon. Clayton asked if each of these projects have endorsements of Chief Elected Official of the community. Gildesgame replied that the requests for most, but not all, projects were initiated by the CEO. Clayton suggested that this should be a requirement for PAS projects in the future, to assure that the funding commitment will be met. Kennedy asked how long the WRC had been prioritizing projects for these programs. Gildesgame replied since 1994. Kennedy then asked if there were any regular updates made to the WRC on these projects. Gildesgame replied that last year the ACOE started giving updates. Gildesgame will propose that this becomes a regular occurrence. Kennedy asked if all of the projects that were recommended in the past had been started. Gildesgame responded that they are all at some stage of development.

<b>V O T E</b>	<p>Clayton moved, with a second by Butler, to endorse the March 12, 2003 memo from staff prioritizing, in this order: 1) Cheshire; 2) Wilbraham; 3) Newton, projects for the Flood Plain Management System program.</p> <p>Webber noted for the record that his brother was the Town Administrator for the Town of Cheshire, so that he would abstain from this vote.</p> <p>The vote was eight in favor with one abstention.</p>
----------------------------	---

Taverna, representing Newton, thanked the WRC for its support.

<b>V O T E</b>	<p>Clayton moved, with a second by Contreas, to endorse the March 12, 2003 memo from staff as presented for the Section 22 Planning Assistance to States program.</p> <p>Honkonen suggested that it be noted for the record that the priorities listed might change, depending on Attleboro's and North Attleborough's ability to find a match. The motion was amended to reflect Honkonen's comments.</p> <p>Haas indicated that he lived in Quincy so he would be abstaining.</p> <p>The vote was eight in favor with one abstention.</p>
----------------------------	---

### **Agenda Item #3: Vote – Interbasin Transfer Guide Book**

Drury reminded the WRC that this was discussed in January. This is an update of the 1985 Guidebook. Since 1985, the WRC has put policies and clarifications in place to address wastewater transfers, developed performance standards and a third party standing policy. The 1985 Guidebook went out of print a few years ago. It was felt that this would be a good time to update the Guidebook and put all these policies in it. Changes that have been made since January are noted in this document. Some formatting changes have been proposed to make the criteria stand out more. Contreas noted some errors in the map showing the MWRA wastewater system and made some suggestions regarding alternative septic systems. Marx and Clayton suggested some language changes concerning the discussion of regional systems. These comments have been incorporated.

Gildesgame stated that this would be available on line, in order to cut down on printing costs, but there would be hard copies available as well. Suggestions were made as to where to send copies. A notice of availability will also be placed in the Environmental Monitor.

<b>V O T E</b>	<p>Veale moved with a second by Clayton to approve the revised IBT Guidebook as presented and edited today.</p> <p>The vote was unanimous of those present.</p>
----------------------------	---

### **Agenda Item #4: Update/Presentation – Status of the Generic Environmental Impact Report: Eutrophication and Aquatic Plant Management in Massachusetts**

Gildesgame repeated the presentation he gave to the MACC meeting in March. He gave similar presentation to the Congress of Lakes and Ponds earlier this year. The impetus for the GEIR came a few years ago, when a draft GEIR was filed. MEPA felt a broader management view should be taken. DEP's Clean Lakes program resubmitted the document as a Major and Complicated project. A Citizens Advisory Committee (CAC) was formed. In 1993, DEP and DEM became joint proponents of this GEIR, a new CAC was formed, and a new scope was developed. In 1997, the draft was completed and went out to public hearings and public comment. This is a technical document, providing management options and guidance on lake management in the Commonwealth. Because this is a GEIR, there are certain technical and management approaches that will need less review by regulatory agencies, if followed. A

companion guidebook is also being developed. The GEIR includes “Lake Ecosystems 101”, case studies of lake management projects that have been implemented in Massachusetts and types of funding programs available. It describes methods to specifically control nutrients and thus the algae and macrophytes they nourish, and gives implementation guidelines (including when to use particular techniques, what precautions should be taken, what regulations apply, etc). There is a guideline for lake management plans. DEP’s Office of Research and Standards developed many of the technical reviews of the chemical techniques included. This was also reviewed by DFA.

Kennedy noted that at the federal level, there was a conflict between the Clean Water Act and the Pesticide Act. The Pesticide Act allows use of herbicides in water bodies, but the Clean Water Act does not. This has not yet been resolved by EPA. Another issue that has arisen is the impact of aquatic herbicide applications on private wells. EPA has not factored this into its calculation of risk assessment. Gildesgame stated that DEP will be issuing guidance to Conservation Commissions on the application of herbicides, as well as on drawdown and dredging. This mirrors guidance in the GEIR. There are also recommendations from Fisheries and Wildlife on when the Division should be consulted on use of these techniques. Pelczarski asked if the GEIR looked at the whole dredging process, including the disposal of spoils. Gildesgame replied that the document does mention the spoils, but it focuses on the permitting process.

Clayton asked if the CAC would be the mechanism by which the document will be updated. Gildesgame replied that the CAC will end its official role once the Secretary’s certificate is issued, but there is another group, the Lake Management Advisory Group, that could fulfill that role. One of the recommendations in the GEIR is that EOEA should set up such a group to be responsible for assuring that the GEIR remains up-to-date.

Webber asked if the guidebook was developed in parallel with the GEIR. Gildesgame answered yes, the guidebook will be issued by MEPA as part of the GEIR. These documents will be sent to every Conservation Commission in the state and also be posted to the web.

<b>V O T E</b>	Webber made a motion to adjourn the meeting in memory of Nick Winter of MDC, who passed away the previous night.
	It was seconded and the motion passed unanimously.

Meeting adjourned

---

Meeting minutes approved 10/14/04